IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 2621 OF 2006

Manjra Charitable Trust's ... Petitioners
Rajiv Gandhi Institute of
Technology, Mumbai

V/s.

The University of Mumbai & Ors. ... Respondents

Mr. A.L. Gore i/b. C.J. Abhyankar for the petitioner.
Mr. R.A. Rodrigues for respondent No. 1.
Mr. V. Phal, AGP for respondent Nos. 4 & 5.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : 21st December, 2006

P.C.

. Rule. Heard forthwith.

2. By interim order of 17th November, 2006, we had granted ad-interim relief in terms of prayer clause (c). Pursuant to that the University has permitted the petitioner to admit students. The main issue in the petition was the matter of demand of fine from the petitioner. The University has now filed affidavit of Mr. P.M. Gosavi, Dy. Registrar. From para 4 it is now clear that, at meeting held on 18th February, 2006 and subsequent meeting held on 16th June, 2006 formula has been revised in the matter of imposing fine on colleges which have committed violations. A committee has been appointed to prepare

guide-lines. Those guide-lines are not yet prepared. Considering above in our opinion, the petition can be disposed of by issuing the following directions.

i. The University not to recover from the petitioner the amounts as now demanded.

ii. As and when the guide-lines are framed, the University to make a fresh demand based on said guide-lines.

iii. If the petitioner is aggrieved by the demand, it will be open to the petitioner to take such steps in law, to which the petitioner is entitled to.

iv. The affiliation of the college will be subject to the payment of the fine imposed.

3. Rule made absolute accordingly. There shall be no order as to costs.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]